IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 722 of 2006 (M/B)

1. Sarwar Khan S/o Mohd. Ali Khan,
   R/o Village Darau, Kiccha,
   District Udham Singh Nagar.
2. Akram Khan S/o Aalam Khan,
   R/o Village Darau, Kiccha,
   District Udham Singh Nagar. ..... Petitioners

Versus

1. State of Uttaranchal,
   through Secretary, Home Department.
2. Senior Superintendent of Police,
   District Udham Singh Nagar.
3. Station House Officer,
   P.S. Kiccha,
   District Udham Singh Nagar.
4. S.I. Sri Abdul Kalam,
   P.S. Kiccha. ..... Respondents

Mr. M.K. Goyal, Advocate for the petitioners.
Mr. H.C. Pande, Addl. Government Advocate for the respondents.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJJEV GUPTA, C. J. (Oral)

Mr. M.K. Goyal, Advocate for the petitioners.

Mr. H.C. Pande, Addl. Government Advocate for the respondents.

They are heard on admission.

2. Petitioners Sarwar Khan and Akram Khan are seeking quashing of the First Information Report and the case registered against them at Crime No. 990 of 2006 at Police Station Kiccha, District Udham Singh Nagar for the alleged commission of the offences punishable under Sections 489-A, 489-C and 489-D of the I.P.C.

3. According to the First Information Report, Police Kiccha, on getting secret information, raided house No. 132-B of Avas Vikas Colony, Kiccha and found four persons indulging in counterfeiting the currency notes of the denomination of 500/-, 100/- and 50/. Before the police could apprehend those four persons, two of them succeeded in making good their escape from the place of occurrence and the remaining two namely Ranjeet alias Raja and Raju alias Kallu were apprehended by the police. On a thorough search of the said house, counterfeited currency notes valuing about Rs. 1.5 lakhs were seized. The two persons, apprehended by the police, disclosed the identity of those two persons, who could made good their escape, as petitioners Sarwar Khan and Akaram Khan. It was also disclosed by the two apprehended persons that petitioners Akram Khan and Sarwar Khan had circulated counterfeited currency notes valuing about Rs. 1 lakh in the past.

4. On the consideration of the submissions of the learned counsel for the parties and the above-mentioned broad features of the case, we are of the opinion that no case warranting quashing of the First Information Report or the case registered against the petitioners is made out. We do not find any justification in the petitioners' prayer to transfer the investigation of the case to some other Investigating Agency.

5. The writ petition, therefore, is liable to be dismissed and is hereby dismissed summarily.

6. Consequently, CLMA No. 7283 of 2006 also stands dismissed.

(Prafulla C. Pant, J.) **(Rajeev Gupta, C. J.)**
20.06.2006 20.06.2006

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